

Page



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/421,590	10/20/1999	AJAY P. DEO	COS-98-021	4368

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WORLD COM, INC.
TECHNOLOGY LAW DEPARTMENT
1133 19TH STREET NW
WASHINGTON, DC 20036

EXAMINER

BAUGH, APRIL L

ART UNIT	PAPER NUMBER
2141	22

DATE MAILED: 10/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/421,590

Applicant(s)

DEO ET AL.

Examiner

April L Baugh

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 20.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
2. Claims 1-4 are now pending.

Response to Arguments

3. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-4 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,907,607 to Waters et al. in view of Barnhouse et al.

Referring to claim 1 Waters et al. discloses a service administration system for distributing service processing resources among one or more service nodes of an intelligent communications network (column 1, lines 5-7), each service node providing services at a network resource associated with a service node (column 1, lines 12-13), said system

Art Unit: 2141

comprising: a device for receiving re-usable service components for providing services at a service node of said intelligent communications network (column 2, lines 18-25 and column 5, lines 19-20), each said service component having an associated service profile defining service node resources required for storing, maintaining and executing said service (column 2, lines 35-39 and column 3, lines 5-9 and 26-30); a database device for storing said received service components, said service node configuration criteria, and service profile associated with said service components (column 3, lines 20-21 and column 10, lines 38-39 and column 11, lines 21-30); a distribution mechanism for distributing copies of said service components to one or more service nodes according to said service profile information associated with a service and a configuration criteria of said service nodes (column 3, lines 13-15).

Waters et al. does not teach a device for receiving configuration criteria including physical resource capacity of each service node of said network and a trigger mechanism. Barnhouse et al. teaches a device for receiving configuration criteria including physical resource capacity of each service node of said network (column 9, lines 5-9) and a trigger mechanism for automatically activating and deactivating said service component distributed to said service node, wherein utilization of service node resources are optimized by activating said service components at service nodes during periods of high demand for an associated service and deactivating service components at service nodes during periods of low demand for said service (column 11, lines 36-37 and column 12, lines 27-30). Therefore it would have been obvious to one of ordinary skill in the art at the time that the invention was made to further modify the service creation apparatus of Waters et al. by having a device for receiving configuration criteria including physical resource capacity of each service node of said network and a trigger

Art Unit: 2141

mechanism because knowing the resource capacity of the node controls the amount of services deployed to the node and having a trigger mechanism controls the activation of the services.

Referring to claim 2, Waters et al. discloses a method for administering service components to one or more service nodes comprising an intelligent network (column 1, lines 5-7), each service node providing one or more services relating to an event received at a network resource associated with a service node (column 1, lines 12-13), said method comprising: receiving re-usable service components for providing services at a service node of said intelligent network (column 2, lines 18-25 and column 5, lines 19-20), each said service component having an associated service profile defining service node resources required for storing, maintaining and executing said services (column 2, lines 35-39 and column 3, lines 5-9 and 26-30); maintaining a database including master copies of said received service components, said service node configuration criteria, and service profile associated with said service components (column 3, lines 20-21 and column 10, lines 38-39 and column 11, lines 21-30); distributing copies of said service components to one or more service nodes according to said service profile information associated with a service and a configuration criteria of said service nodes (column 3, lines 13-15).

Waters et al. does not teach a device for receiving configuration criteria including physical resource capacity of each service node of said network and a trigger mechanism. Barnhouse et al. teaches receiving configuration criteria including physical resource capacity of each service node of said network (column 9, lines 5-9) and forwarding a trigger to said service node for automatically activating and deactivating a service component distributed to said service node, whereby a service component distributed to said service node is activated during

Art Unit: 2141

periods of high demand for an associated service and deactivated at service nodes during periods of low demand for said service (column 11, lines 36-37 and column 12, lines 27-30). Therefore it would have been obvious to one of ordinary skill in the art at the time that the invention was made to further modify the service creation apparatus of Waters et al. by having a device for receiving configuration criteria including physical resource capacity of each service node of said network and a trigger mechanism because knowing the resource capacity of the node controls the amount of services deployed to the node and having a trigger mechanism controls the activation of the services.

Referring to claim 3, Waters et al. teaches a service processing system for controlling a communications network having a plurality of service nodes (column 1, lines 5-7 and 12-13 and column 4, lines 55-56), each service node comprising at least one logic execution environment that hosts managed objects (column 2, lines 8-10), said service processing system comprising: a data manager for maintaining at each service node a local storage of managed objects and data needed for service processing within the service node (column 2, lines 40-44 and column 6, lines 4-6); and at least one service administrator that controls the deployment and activation of services within said service processing system by distributing, from a global repository, managed objects and data to one or more data managers associated with said service nodes in said communications network (column 1, lines 12-13 and column 5, lines 21-26).

Waters et al. does not teach a data manager for monitoring operational status of the local storage at the service nodes. Barnhouse et al. teaches a data manager for monitoring operational status of the local storage at the service nodes (column 11, lines 14-17). Therefore it would have been obvious to one of ordinary skill in the art at the time that the invention was made to further

Art Unit: 2141

modify the service creation apparatus of Waters et al. by having a data manager for monitoring operational status of the local storage at the service nodes because the system is able to monitor the status of objects on the service node.

Regarding claim 4, Waters et al. teaches a method for controlling the deployment and activation of services in a communications network having a plurality of service nodes (column 1, lines 5-7 and 12-13 and column 4, lines 55-56), each service node comprising at least one logic execution environment that hosts managed objects (column 2, lines 8-10), said method comprising: maintaining at each of said service nodes a local data store of managed objects and data needed for service processing within the service node (column 2, lines 40-44 and column 6, lines 4-6); and selectively distributing, from a global repository, managed objects and data to one or more of said local stores associated with said service nodes in said communications network, so as to control where and when services are deployed and activated in said communications network (column 1, lines 12-13 and column 5, lines 21-26).

Waters et al. does not teach monitoring operational status of the local data store of the service nodes. Barnhouse et al. teaches monitoring operational status of the local data store of the service nodes (column 11, lines 14-17). Therefore it would have been obvious to one of ordinary skill in the art at the time that the invention was made to further modify the service creation apparatus of Waters et al. by monitoring operational status of the local data store of the service nodes because the system is able to monitor the status of objects on the service node.

Art Unit: 2141


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to April L Baugh whose telephone number is 703-305-5317. The examiner can normally be reached on Monday-Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal D Dharia can be reached on 703-305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

ALB


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER